IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10252 of 2004

Between:

1 Kuracha Sree Devi, w/o Bangar Raju,
2 Mamidi Venkata Apparao, S/o Venkataswamy,
3 Mamidi Savithri, W/o Venkata Apparao,
4 Maddu Nirmala, w/o Srinivasarao,
5 Sabbavrapu Naidu, s/o Suryanarayana,
6 Tanari Varalaxmi, W/o Appala Naidu
7 Tanari Narayana Murthy, S/o Konda,
8 Tanari Appala Naidu, S/o Konda,
9 Bobbili Sathi Babju, S/o Sanyasi,
10 Bobbili Sanyasi, S/o Sanyasi,
(All the petitioners are R/o of Narsipatnam (V), Narsipatnam (M), Visakhapatnam District).

..... PETITIONERS

AND

1 The District Collector, Visakhapatnam.
2 The Electoral Registration Officer and Revenue Divisional Officer, Narsipatnam,
Visakhapatnam Dkistrict.
3 The District Panchayat Officer, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ, more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in not passing the orders on the claim application dt. 17-6-2004 filed by the petitioners along with others for inclusion of their names in the voters list of Narsipatnam as illegal,arbitrary and against Rule 6 of A.P. Panchayat Raj (Preparation and Publication of Electoral Rolls) Rules, 2000 and consequently direct the respondents to include their names in the voters list of Narsipatnam Grampanchayat and conduct the elections to fill the casual vacancy of Sarpanch of Narsipatnam Grampanchayat with the revised voters list.

Counsel for Petitioner : MR.V.SUDHAKAR REDDY

Counsel for Respondents : G.P. FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission, made the following :

ORDER:

The present writ petition is filed questioning the action of the second respondent in not passing the orders on the claim application dated 17-6-2004 for inclusion of names of the petitioners in the Voters list of Narsipatnam.

The petitioners herein claim to be permanent residents of Narsipatnam Grampanchayat and exercised their franchise in the Assembly elections held in the year 1999 and 2001. However, their names were found deleted from the voters list of Narsipatnam Assembly constituency. It is alleged that the third respondent, without conducting any enquiry has prepared a voters list based on assembly voters list and got it published on 5-6-2004. The petitioners along with others filed a claim/representation to the second respondent on 17-6-2004 under Rule 6 of the A.P. Panchayat Raj (Preparation and Publication of Electoral Rolls) Rules , 2000 read with the provisions of the Registration of Electoral Rules, 1960 made under the Representation of People Act.
The grievance of the petitioners is that without passing any orders on the representation dated 17-6-2004, the second respondent is contemplating to issue notification for conduct of elections to Narsipatnam Gram Panchayat.

Heard learned counsel for the petitioner and learned Government Pleader for Panchayat Raj. Both counsel agreed for disposal of the writ petition at the admission stage.

In the circumstances, the writ petition is disposed of directing the second respondent to consider the representation of the petitioners dated 17-6-2004 and pass appropriate orders in accordance with law

within a period of eight weeks from the date of receipt of copy of this order. No costs.

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N.V.RAMANA,J

23-6-2004

TVK/DA

To

1 The District Collector, Visakhapatnam.
2 The Electoral Registration Officer and Revenue Divisional Officer, Narsipatnam,
Visakhapatnam Dkistrict.
3 The District Panchayat Officer, Visakhapatnam District.
4. 2 CCs to G.P. for Panchayat Raj & Rural Development, High Court, Hyderabad.
5. 2 CD copies.